

1 H. SINCLAIR KERR, JR. (61713)
MICHAEL NG (237915)
2 KERR & WAGSTAFFE LLP
100 Spear Street, Suite 1800
3 San Francisco, CA 94105-1528
Telephone: (415) 371-8500
4 Fax: (415) 371-0500

5 Attorneys for Defendants
CON-FAB CALIFORNIA CORPORATION
6 BAY CITIES PAVING & GRADING, INC.

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 THE FORT MILLER CO., INC., a New York
corporation,

12
13 Plaintiff,

14 vs.

15 CON-FAB CALIFORNIA CORPORATION, a
California corporation; BAY CITIES PAVING
16 & GRADING, INC., a California corporation,

17 Defendants.
18
19
20
21
22
23
24
25
26
27
28

Case No. C 11-05473 CRB

**STIPULATION AND [PROPOSED]
ORDER CONTINUING THE INITIAL
CASE MANAGEMENT CONFERENCE
AND RELATED DEADLINES**

STIPULATION

Defendants Con-Fab California Corporation and Bay Cities Paving & Grading, Inc. (collectively Defendants), and Plaintiff The Fort Miller Co., Inc., by and through their counsel, hereby stipulate as follows:

WHEREAS Plaintiff commenced this Action on November 10, 2011;

WHEREAS this case was initially assigned on November 10, 2011 to U.S. Magistrate Judge Grewal, who set an initial case management conference for December 27, 2011;

WHEREAS the December 27, 2011 case management conference before Judge Grewal and related deadlines were vacated on December 6, 2011 pending reassignment to a U.S. District Judge;

WHEREAS this case was later re-assigned to this Court on December 8, 2011;

WHEREAS on December 14, 2011 this Court set an initial case management conference for January 6, 2012;

WHEREAS counsel has a scheduling conflict with the January 6, 2012 case management conference date; and

WHEREAS the Court has already approved the parties' stipulated extension of time within which Defendants may file their Answer to January 20, 2012;

NOW THEREFORE, the parties have agreed, subject to the Court's approval, that the initial case management conference in this matter be continued to February 17, 2012 at 8:30a.m.

Pursuant to the Court's Order setting Case Management Conference, counsel shall meet and confer not less than thirty (30) days in advance of the conference and shall file a joint case management statement not less than seven (7) days in advance of the conference.

IT IS SO STIPULATED.

//

//

//

//

//

STIPULATION AND [PROPOSED] ORDER